LEGAL NOTICE NO. …… Date…………

THE KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ACT, 2013,

THE KENYA AGRICULTURAL AND LIVESTOCK RESEARCH (CONSERVATION, ACCESS AND BENEFITS SHARING OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE) REGULATIONS, 2014

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THE KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ACT, 2013,

IN EXERCISE of the powers conferred by Section 50 of The Kenya Agricultural and Livestock Research Act, 2013, the Cabinet Secretary makes the following Regulations -

THE KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ACT, 2013 (CONSERVATION, ACCESS AND BENEFITS SHARING OF PLANT GENETIC RESOURCES REGULATIONS, 2014

PART I – PRELIMINARY

a) These Regulations may be cited as The Kenya Agricultural and Livestock Research Act, 2013 (Conservation, Access and Benefits sharing of Plant Genetic Resources) Regulations, 2014.

b) In these Regulations, unless the context otherwise requires -

“access permit” means a written authority as provided under First Schedule that allows a person to access genetic resources issued under Regulation 14;

“access” means obtaining, and using genetic resources, whether derived products and, where applicable, intangible components, for purposes of research, bio-prospecting, conservation, industrial application or commercial use;

“Agriculture” means cultivation of land and the use of land (whether or not covered by water) for any purpose of husbandry, aquaculture and food production and includes-

a) Cultivation of crops and horticulture practice within the meaning of the Crops Act;

b) Breeding of aquatic animals and plants in the Kenyan fishery waters and sea ranching and fish farming in the sea as provided for in the Fisheries Act;

c) Use of land, meadow land, market gardens or nursery grounds;

d) Fish harvesting within the meaning of the Fisheries Act; and

e) The use of land for agroforestry, when that use is ancillary to the use of land for other agricultural purposes;

f) Transgenic and microbial formulations for use and application in agricultural systems; (Dfn as by AFA act 2013)

“benefit sharing” means the sharing of benefits that accrue from the utilization of genetic resources including its intangible components associated;

“Committee” means the National Plant Genetic Resources Committee established under Section 27A of the Act;
“Competent Authority” means the Ministry for the time being responsible for matters relating to Agriculture.

“contracting Parties” means Kenya and other countries that are signatories to the International Treaty on Plant Genetic Resources for Food and Agriculture;

“endangered species” means any plant species which is at risk of extinction throughout all or a significant portion of its range;

“Ex situ conservation” means the conservation of plant genetic resources outside their natural habitat;

“Focal Point” means the Plant Genetic Resources Center;

“Third Party Beneficiary” means the implementing arm of the Food and Agriculture Organization (FAO) responsible for administering the Benefit Sharing Fund established under the International Treaty Plant Genetic Resources for Food and Agriculture (ITPGRFA);

“Plant Genetic Resource Center”

“plant genetic material” means any genetic material of plant useful or with potential usefulness for food and agriculture, including reproductive and vegetative propagating material, containing functional units of heredity;

“Governing Body” means the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture.

“holotype” means the single specimen chosen for designation of a new species;

“in situ conservation” means the conservation of the ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated plant species, in the surroundings where they have developed their distinctive properties;

“intangible components” means any information or knowledge including traditional knowledge held by persons that is associated with or regarding genetic resources within the jurisdiction of Kenya;

“inventory” means a detailed list, report or record of resources, or the process of making such a list, report or record;

“lead agencies” means any Government ministry, department, state corporation or local authority, in which any law vests functions of control or management of any element of the genetic resources;

“Material Transfer Agreement” means an agreement negotiated between the holder of an access permit and a relevant lead agency or community on access to genetic
resources and benefit sharing;

“Standard Material Transfer Agreement” means…(shall apply to annex 1 material under the international treaty on PGRFA)

“Prior Informed Consent” means an international operation procedure for exchanging, receiving and handling notification and information by a competent authority; and

“threatened species” means any species of plant which is likely to become an endangered species within the foreseeable future throughout all or significant portion of its range. (Refer to CITES)

‘Plant Genetic Resources’ means any genetic material of plant origin of actual value for food, feed and other agricultural products.

3. These Regulations shall apply to ex-situ conserved genetic material of plant origin of actual or potential value but shall exclude:-

(a) the exchange of genetic resources, their derivative products, or the intangible components associated with them, carried out by members of any local Kenyan community amongst themselves and for their own consumption;

(b) approved research activities intended for educational purposes within recognized Kenyan academic and research institutions’ IP policies or the national IP laws.

PART II – THE STRUCTURE AND MANAGEMENT OF THE PLANT GENETIC RESOURCES CENTRE

(1) The structure and management of Plant Genetic Resources Centre established under legal Notice no…… shall comprise the Focal Point and Plant Genetic Resources Committee.

(2) The head of the Plant Genetic Resources Center shall be the designated Focal Point.

(3) The Plant Genetic Resources Committee shall comprise of one relevant expert representing each of the following Agencies;

   (i) Ministry of Agriculture, Livestock and Fisheries
   (ii) Ministry responsible for Culture
   (ii) Kenya Plant Health Inspectorate Service
   (iii) Kenya Forestry Research Institute
   (iv) Kenya Wildlife Services
   (v) Kenya Industrial Property Institute
(vi) Kenya National Farmers
(vii) Plant Breeders Association of Kenya
(viii) National Environment Management Authority
(ix) Kenya Agricultural & Livestock Research Organization
(x) Seed Traders Association of Kenya
(xi) Universities
(xii) National Museums of Kenya
(xiv) Not more than two members with specialized knowledge, skills or experience who may be co-opted from time to time as need arises.

(4) (i) The Chairman of the committee shall be nominated from among the members at their first meeting and appointed in writing by the Cabinet Secretary.
(ii) The chairmanship of the committee shall be rotational and such chair person shall serve for one term of three years.
(5) The Secretary to the committee shall be the Head of the Plant Genetic Resources Centre
(6) The Committee shall be responsible for providing operational guidelines on matters relating to plant genetic resources.
(7) The committee shall regulate its meetings and hold such meetings at least four times a year.
(8) The Focal Point shall be responsible:
   (i) to the Director Genetic Resources Research Institute and the day to day management of the center operations
   (ii) for linking Kenya with the Governing Body
   (iii) for linking Kenya with other Contracting Parties
   (iv) for coordinating the Preparation of country reports and positions
(9) The funding for the operations of the Plant Genetic Resources Centre, including activities of any of its committees shall be provided through moneys:
   (i) appropriated by the National Assembly
   (ii) from local, international development partners or any other source in form of grants, loans or donations
(10) The Plant Genetic Resources Centre shall as far as practicable exercise such degree of autonomy as to limit any conflict of interest in carrying out its mandate.

PART III – CONSERVATION OF PLANT GENETIC RESOURCES
6. The Plant Genetic Resources Centre shall carry out surveys of plant genetic resources taking into account the degree of variation in existing populations.
7. The Plant Genetic Resources Centre shall periodically undertake collection of existing and potential plant genetic resources and relevant associated information.

8. (i) Undertake the development of an efficient and sustainable system of *ex-situ* conservation, by :-
   
   (a) evaluating and characterizing;
   
   (b) regenerating and;
   
   (c) documenting; plant genetic resources of different species.

   (ii) Undertake the development and transfer of appropriate technologies for evaluating and characterizing, regenerating and documenting for sustainable use of plant genetic resources and

   (iii) Promote *in-situ* conservation.

9. Monitor and maintain the viability, degree of variation, and the genetic integrity of collections of plant genetic resources.

10. The Plant Genetic Resources Centre shall:-

   (i) undertake exploration, maintenance, inventory and collection of genetic resources of threatened and endangered species;

   (ii) in consultation with the relevant lead agencies cause to be imposed bans, restrictions or similar measures on the access and use of any threatened and endangered species in order to ensure its regeneration and maximum sustainable yield.

11. (i) The Plant Genetic Resources Centre shall on an annual basis publish an inventory of all conserved genetic resources, including those of threatened and endangered species, in a format that shall be prescribed by the committee in line with Regulation 8(i)(c).

   (ii) The inventory shall be a public record and shall be made accessible to any interested person by the Centre.

12. (i) The Center shall put in place measures to ensure that:-

   a) farmers and local communities’ efforts to manage and conserve on-farm plant genetic resources are protected;

   b) the traditional knowledge relevant to plant genetic resources is protected;

   c) there is equitable participation of farmers in sharing benefits arising from the utilization of plant genetic resources;

   d) the protection of the farmers’ rights to make decisions at various levels, on matters related to the conservation and sustainable use of plant genetic resources is promoted;

   e) *in-situ* conservation of on-farm genetic resources, including those in protected

Collection of existing, potential and wild genetic resources

Inventory of genetic Resources

Maintenance of Genetic Resources

Conservation of threatened species

Information sharing

Farmers’ Rights
areas are promoted, by supporting, inter alia, the efforts of indigenous and local communities;

(ii) Nothing in these Regulations shall be interpreted to limit any rights that farmers have to access, save, use, exchange farm-saved seed/propagating material.

14 (1) This regulation shall apply to access to plant genetic resources outside the multilateral system for the purpose of utilization and conservation for research, breeding and training.

(2) (i) Any person who intends to access genetic resources in Kenya shall apply to the Centre for an access permit in the form set out in the First Schedule, and such application shall be accompanied by the fees prescribed in the Second Schedule to these Regulations.

(ii) The application shall be accompanied by evidence of Prior Informed Consent from interested persons and relevant lead agencies, and a research clearance Certificate from the National Commission for Science Technology and Innovation.

(3) Under special circumstances and on a case by case basis, the centre shall exercise its discretion to grant plant genetic resources for food and agriculture outside the multilateral system under the provisions of regulation 13.

15. (1) Any person who intends to access genetic resources in Kenya shall apply to the Plant Genetic Resources Centre for an access permit in the form set out in the Second Schedule, and such application shall be accompanied by the fees prescribed in the Third Schedule to these Regulations.

(2) An application for plant genetic resources under regulation 15 shall be accompanied by evidence of Prior Informed Consent from interested persons and relevant lead agencies, and a research clearance certificate from the National Commission for Science, Technology and Innovation.

(3) The Plant Genetic Resources Centre shall review the application and if satisfied that the activity to be carried out shall facilitate the sustainable management and utilization of genetic resources for the benefit of the people of Kenya, issue an access permit to the applicant.

(4) Where the Plant Genetic Resources Centre has reasonable grounds for refusing to issue an access permit; it shall inform the applicant of the reasons of such refusal in writing within 14 working days.

(5) A person aggrieved by refusal of the Plant Genetic Resources Centre to grant a permit may appeal to the committee and if not satisfied with the decision of the committee, appeal to ……

(6) The form set out in the Third Schedule is prescribed as the form of access permit.

(7) The Plant Genetic Resources Centre shall, within thirty days of receipt of an application for an access permit, determine the application and communicate its decision in writing to the
(8) An access permit shall be valid for a period of one year from the date of issue and shall not be transferable.

(9) Upon expiry, an access permit may be renewed for a further period of one year upon payment of the fee prescribed in the Second Schedule and upon such terms and conditions as the Plant Genetic Resources Centre may deem necessary to impose.

(10) An access permit shall contain such terms and conditions as the Plant Genetic Resources Centre may deem necessary to impose.

(11) (i) In addition to such terms and conditions as may be contained in an access permit, the following conditions shall be implied in every access permit:

a) Reasonable access to all genetic resources collected shall be guaranteed to all Kenyan citizens whether such genetic resources and intangible components are held locally or abroad.

b) All agreements entered into with respect to access of genetic resources shall be exclusively for the purposes for which they were entered into.

c) The furnishing of annual reports to the Plant Genetic Resources Centre on the status of research, including all discoveries from research involving genetic resources and/or intangible components thereof.

(d) The holder of an access permit shall abide by the laws of Kenya.

(ii) The Plant Genetic Resources Centre may, on its own volition or on the application by an access permit holder, vary the conditions of an access permit.

(12) The Plant Genetic Resources Centre may suspend, cancel or revoke any access permit issued under these Regulations where the holder thereof is in contravention of any of the conditions imposed on the access permit or those implied under these Regulations, or of the agreements concluded pursuant to its grant.

(13) The Plant Genetic Resources Centre shall, before suspending, canceling or revoking an access permit, give a written notice of its intention to suspend, cancel or revoke the permit to the holder thereof, and shall accordingly invite the holder to make representations within thirty days from the date of such notice.

(14) The Plant Genetic Resources Centre shall keep, manage and update as appropriate a register of all access permits which it has granted, and the register shall be a public record of the Plant Genetic Resources Centre and shall be accessible, in a prescribed manner, to any person on application to the Plant Genetic Resources Centre.

15. Notwithstanding any provisions contained in these Regulations, no person shall transfer any genetic resources outside Kenya unless such person has executed the material transfer agreement under Schedule four.
PART IV - BENEFIT SHARING FOR PLANT GENETIC RESOURCES ACCESSED OUTSIDE THE MULTILATERAL SYSTEM

16. This Part shall apply to sharing of benefits for Plant Genetic resources outside the multilateral system and shall be subject to the laws in force relating to intellectual property rights.

17(1) Benefit sharing of Plant Genetic Resources outside the Multilateral System shall ensure fair and equitable sharing of benefits arising from the use, including commercialization of plant genetic resources.

(2) Without prejudice to the generality of the foregoing, the holder of an access permit, in the execution of the activities under the permit, shall facilitate an active involvement of the Center and the enjoyment of both monetary and non-monetary benefits arising from the right of access granted and the use of genetic resources.

(18)(1). **Monetary benefits may include, but not be limited to:**
(a) Access fees/fee per sample collected or otherwise acquired;
(b) Up-front payments;
(c) Milestone payments;
(d) Payment of royalties;
(e) License fees in case of commercialization;
(f) Special fees to be paid to trust funds supporting conservation and sustainable use of Plant Genetic Resources;
(g) Salaries and preferential terms where mutually agreed;
(h) Research and/or collection funding;
(i) Funding for infrastructure development;
(j) Joint ventures;
(k) Sale of joint ownership of relevant intellectual property rights.

(2). **Non-monetary benefits may include, but not be limited to:**
(a) Sharing of research and development results;
(b) Collaboration, cooperation and contribution in scientific research and development programmes, particularly biotechnological research activities;
(c) Participation in product development;
(d) Collaboration, cooperation and contribution in education and training;
(e) Admittance to *ex situ* facilities of genetic resources and to databases;
(f) Transfer to the Center knowledge and technology under fair and most favorable terms, including on concessional and preferential terms where agreed, in particular, knowledge and technology that make use of genetic resources, including biotechnology, or that are relevant to the conservation and sustainable utilization of Plant Genetic Resources;
(g) Strengthening capacities for technology transfer;
(h) Institutional capacity-building;
(i) Human and material resources to strengthen the capacities for the administration and enforcement of access regulations;
(j) Training related to genetic resources with the full participation of the Center;
(k) Access to scientific information relevant to conservation and sustainable use of Plant Genetic Resources, including biological inventories and taxonomic studies;
(l) Contributions to the local economy;
(m) Research directed towards priority needs, such as health and food security, taking into account local uses of genetic resources;
(n) Institutional and professional relationships that can arise from an access and benefit-sharing agreement and subsequent collaborative activities;
(o) Food and livelihood security benefits;
(p) Social recognition;
(q) Joint ownership of relevant intellectual property rights.

19. (1) Every beneficiary of genetic resources shall where applicable:-
   (a) share research and development results with the Plant Genetic Resources Centre, any lead agency or individual involved;
   (b) facilitate access to scientific information relevant to conservation and sustainable use of Plant Genetic diversity, including PGR inventories and taxonomic studies by the Plant Genetic Resources Centre, any lead agency or individual involved.

(2) Information exchanged under (1) shall encompass, but shall not be limited to, catalogues and inventories, information on technologies, results of technical, scientific and socio-economic research, including characterization, evaluation and utilization, regarding those plant genetic resources.

20. (1) Every beneficiary of genetic resources shall, where applicable, collaborate, co-operate and contribute in scientific research and development programmes, particularly biotechnological research activities;

(b) transfer to Kenya genetic resources of knowledge and technology under fair and most favourable terms, including concessional and preferential terms where agreed, in particular, knowledge and technology that make use of genetic resources, including biotechnology, or that are relevant to the conservation and sustainable utilization of biological diversity;

(c) Facilitate admittance to ex situ facilities of genetic resources and to databases by participating institutions in order to enable access to technologies for the conservation, characterization, evaluation and use of plant genetic resources for food and agriculture which are under the multilateral system;

(2) Access to these technologies, improved varieties and genetic material shall be provided and/or facilitated, while respecting the plant breeders' Rights and access laws in Kenya.

20. Where the genetic resources originate from Kenya, every third party beneficiary shall undertake capacity building by:-

(a) establishing and strengthening programmes for scientific and technical education and training in conservation and sustainable use of plant genetic resources for food and agriculture;

(b) developing and strengthening facilities for conservation and sustainable use of plant genetic resources for food and agriculture;

(c) scientific research preferably, and where possible in Kenya, in cooperation with local research institutions, and;

(d) implementing training related to genetic resources with the full participation of Kenya and where possible, in Kenya

(e) human and material resources to strengthen the capacities for the administration and
enforcement of access regulations;
(f) institutional and professional relationships that can arise from access and benefit sharing agreements and subsequent collaborative activities.

PART V– ACCESS TO PLANT GENETIC RESOURCES UNDER THE MULTILATERAL SYSTEM

13. (i) This regulation shall apply to access to plant genetic resources under the multilateral system and other genetic resources for food and agriculture

(ii) Access to plant genetic resources for food and agriculture for plants under the Fifth Schedule (SMTA) (the multilateral Systems) shall be provided in accordance with the following conditions:

a) Only for the purpose of utilization and conservation for research, breeding and training for food and agriculture provided that such purpose does not include non-food/feed products.

b) Access shall be accorded expeditiously, without the need to track individual accessions and free of charge, or, when a fee is charged, it shall not exceed the minimal cost involved;

c) All available passport data and, subject to applicable laws in Kenya, any other associated available non-confidential descriptive information, shall be made available with the plant genetic resources for food and agriculture provided;

d) Recipients shall not claim any intellectual property or other rights that limit the facilitated access to the plant genetic resources for food and agriculture, or their genetic parts or components, in the form received from the Multilateral System;

e) Access to plant genetic resources for food and agriculture under development, including material being developed by farmers, shall be at the discretion of its developer, during the period of its development;

f) Access to plant genetic resources for food and agriculture protected by intellectual and other property rights shall be consistent with Seed and Plant Varieties Act, and other relevant national laws;

g) Plant genetic resources for food and agriculture accessed under the Multilateral System and conserved shall continue to be made available to the Multilateral System by the recipients of those plant genetic resources for food and agriculture, under the terms of this Regulations; and

h) Without prejudice to the other provisions under this Regulations, the Contracting Parties shall, prior to accessing plant genetic resources for food and agriculture found in in-situ conditions, consent to the provisions on access as provided according to this regulations and other relevant national laws.

22. (1) On the request of an applicant of an access permit, the National Plant Genetic Resources Centre may hold some information relating to access to genetic resources the subject of the application as confidential.
(2) Where an access permit is granted, information held as confidential under paragraph (1),
with respect to the relevant applicant, shall not be accessible to a person inspecting the register
of access permits in accordance with regulation 14. (17).

23. A person carrying out any activities involving access to plant genetic resources for food and
agriculture immediately before the coming into force of these Regulations shall, within six
months from the coming into force thereof, take all necessary measures to ensure full
compliance with these Regulations.

24. A contravention or failure to comply with any of the matters provided in these Regulations
shall constitute an offence.

25. Any person convicted of an offence under these Regulations shall be liable to imprisonment
for a term not exceeding eighteen months, or to a fine not exceeding three hundred and fifty
thousand shillings, or both.
FIRST SCHEDULE: FORM OF APPLICATION FOR AN ACCESS PERMIT (r. 14.(1)

KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ORGANIZATION
GENETIC RESOURCES RESEARCH INSTITUTE
P.O. BOX 30148 – 00100 NAIROBI
TEL: 020-2025539
www.kalro.org

FORM OF APPLICATION FOR AN ACCESS PERMIT

Applicants applying as individuals should fill Part I.

Applicants applying as corporate (organizations) should fill Part II.

All applicants must fill Part III.

All applicants must submit five (5) hard copies or an electronic copy.

PART I
FOR APPLICANTS WHO ARE INDIVIDUALS
(a) Name of applicant …………………………………………………
(b) Identification Card /Passport (attach copies) …………………………
(c) Postal Address ………………………………………………………
(d) PIN No. ……………………………………………………………
(e) Permanent Residential Address ………………………………………
(f) Qualifications (Curriculum Vitae to be attached) ……………………

PART II
FOR APPLICANTS WHO ARE CORPORATE (ORGANIZATIONS)
(a) Name of Organization …………………………………………………
(b) Permanent Address …………………………………………………
(c) Registered Address …………………………………………………
(d) Registration No. (Attach copy of certificate of registration) …………..

(e) Authorization letter from the institution
(f) Qualification of individuals in the project (Curriculum Vitae to be attached)

(g) Details (if any) of:
(h) Holding and subsidiary institutions; or
(i) Individuals connected to the project ………………………………………
PART III
FOR ALL APPLICANTS

1.0 Financial Details
Sources:
(i) The total budget of the project
(ii) Details of any corporate or individual sponsors of the project

2.0 Technical Particulars
(a) What are the details of your previous collection/research (if any) conducted in any of the East African country?
(b) With regard to genetic resources for which access is sought, the following must be provided –
   (i) scientific names of taxa;
   (ii) details of any previous accessions from the center;
   (iii) parts of the genetic resource to be collected (tissues, cells, seeds, leaves, microbes, etc);
   (iv) derivatives and/or products;
   (v) quantities to be collected;
   (vi) any known uses of the genetic resources;
(c) Proposed use of genetic resources:
   (i) purpose of use of accessed genetic resources;
   (ii) expected research outputs;
   (iii) geographical location where the research shall be undertaken;
(d) Details of the benefit sharing arrangement.
(e) A copy of the Prior Informed Consent document from the Center.
(f) A copy of research clearance document from the National Commission for Science, Technology and Innovation.
(g) Any other information in the possession of the applicant which might be useful for the Centre to make an informed decision in granting an access permit.

3.0 Renewal Details
Is this an application for renewal of an access permit?
YES …………………………… NO………………………………
Access Permit No. ……………………. Granted on ……………………. (Date)

All applicants are forewarned that it is an offence to give false information to the Centre and is
punishable by the relevant Kenyan Law.

I undertake to provide progress and full reports as required under these Regulations.

I declare that to the best of my knowledge the information given in respect of this application is true.

For individual applicants:

Name of Applicant ………………………………………………………
Signature …………………………………………………………………
Date …………………………………………………………………

For Companies/Institutions –
(Affix company seal)

In the presence of –

Name of Director ………………………………………………………..
Signature ……………………………………………………………..

Name of Director/Company Secretary: …………………………………
Signature …………………………………………………………………
Date ……………………

SECOND SCHEDULE
{r. 14.(1), (10), (14) }

<table>
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<tr>
<th>PRESCRIBED FEES</th>
<th>Fee (in KSh/USD)</th>
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<tr>
<td>(a) To apply for an access permit:</td>
<td></td>
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<tr>
<td>(i) Individual applicants</td>
<td>20,000.00</td>
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<td>(ii) Corporate applicants</td>
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<td>(b) Permit fees</td>
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<td>(iii) Non-resident</td>
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<tr>
<td>(i) Individual applicants</td>
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<td>(ii) Corporate applicants</td>
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<td>(d) Annual Research attachment</td>
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<tr>
<td>(i) Resident</td>
<td>2,000.00</td>
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THIRD SCHEDULE: ACCESS PERMIT FOR PLANT GENETIC RESOURCES
{R. 12} form GeRRI 2.

KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ORGANIZATION
GENETIC RESOURCES RESEARCH INSTITUTE
P.O. BOX 30148 – 00100 NAIROBI
TEL: 020-2025539
www.kalro.org

Access Permit for Plant Genetic Resources {R. 12}

This permit is hereby granted to………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………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FOURTH SCHEDULE:

MATERIALS INCLUDED IN THE MULTILATERAL SYSTEM {R. 13.(2)}

<table>
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<tr>
<th>Food Crops</th>
<th>Genus</th>
<th>Observations</th>
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<tr>
<td>Breadfruit</td>
<td>Artocarpus</td>
<td>Breadfruit only</td>
</tr>
<tr>
<td>Asparagus</td>
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<td>Oat</td>
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<td>Beet</td>
<td>Beta</td>
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</tr>
<tr>
<td>Brassica complex</td>
<td>Brassica et al.</td>
<td>Genera included are: Brassica, Armoracia, Barbarea, Camelina, Crambe, Diplotaxis, Eruc, Isatis, Lepidium, Raphanobrassica, Raphanus, Rosippa, and Sinapis. This comprises oilseed and vegetable crops such as cabbage, apseed, mustard, cress, rocket, radish, and turnip. The species Lepidium meyenii, (maca) is excluded.</td>
</tr>
<tr>
<td>Pigeon Pea</td>
<td>Cajanus</td>
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<td>Chickpea</td>
<td>Cicer</td>
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<tr>
<td>Citrus</td>
<td>Citrus</td>
<td>Genera Poncirus and Fortunella are included as root stock</td>
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<td>Coconut</td>
<td>Cocos</td>
<td>Major aroids Colocasia, Xanthosoma Major aroids include taro, cocoyam, dasheen and tannia.</td>
</tr>
<tr>
<td>Carrot</td>
<td>Daucus</td>
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<td>Yams</td>
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<td>Apple</td>
<td>Malus</td>
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<tr>
<td>Cassava</td>
<td>Manihot</td>
<td>Manihot esculenta only.</td>
</tr>
<tr>
<td>Banana / Plantain</td>
<td>Musa</td>
<td>Except Musa textilis</td>
</tr>
<tr>
<td>Rice</td>
<td>Oryza</td>
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<td>Pearl Millet</td>
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<tr>
<td>Beans</td>
<td>Phaseolus</td>
<td>Except Phaseolus polyanthus.</td>
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<tr>
<td>Pea</td>
<td>Pisum</td>
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<tr>
<td>Rye</td>
<td>Secale</td>
<td>Section tuberosa included, except Solanum phureja.</td>
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<td>Potato</td>
<td>Solanum</td>
<td>Section melongena included.</td>
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<td>Triticosecale</td>
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<td>Vicia</td>
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<tr>
<td>Cowpea et al</td>
<td>Vigna</td>
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<tr>
<td>Maize</td>
<td>Zea</td>
<td>Excluding Zea perennis, Zea diploperennis, and Zea luxurians.</td>
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FORAGES

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<td>Genus</td>
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**GRASS FORAGES**

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<td>Arundinacea, gigantea, heterophylla, ovina, pratensis, rubra</td>
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<td>hybridum, multiflorum, perenne, rigidum, temulentum</td>
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**OTHER FORAGES**

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